

**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF LABOR**  
**CONCORD, NEW HAMPSHIRE**



V

**Sublime Solutions Inc.**

**DECISION OF THE HEARING OFFICER**

**Nature of Dispute:** RSA 275:43 I unpaid wages  
RSA 275:43 I unpaid commissions  
RSA 275:43-b unpaid salary

**Employer:** Sublime Solutions Inc., 3 Kimball Rd, Londonderry NH 03053

**Date of Hearing:** April 7, 2015

**Case No.:** 49741

**BACKGROUND AND STATEMENT OF THE ISSUES**

The claimant originally asserted, through the filing of his wage claim, that he was owed \$10,564.01 in unpaid commissions and salary.

At the hearing, he clarified he is due \$6,564.89 in unpaid commissions and \$3,332.00 in unpaid salary. The unpaid salary covers the period of October 1, 2014 through November 30, 2014, at a rate of \$833.00 per semi-monthly pay period.

He removed \$667.12 in commissions from the original claim.

The employer agrees the claimant is due the commissions and salary as outlined. She is filing personal and business bankruptcy. The wages for the claimant have been included in the bankruptcy filing. The bankruptcy process is not complete.

**FINDINGS OF FACT**

The claimant provided credible testimony and evidence, previously submitted, that he is due the claimed commissions and salary.

The employer agreed the claimant is due the commissions and salary as claimed.

The Hearing Officer finds the claimant proved by a preponderance of the he is due the claimed commission and salary.

## **DECISION AND ORDER**

Based on the testimony and evidence presented, as RSA 275:43 I requires that an employer pay all wages due an employee, and as this Department finds that the claimant proved by a preponderance of the evidence that he is owed the claimed commissions/wages, it is hereby ruled that this portion of the Wage Claim is valid in the amount of \$6,564.89.

As RSA 275:43 I requires that an employer pay all wages due an employee, and as this Department finds that the claimant proved by a preponderance of the evidence that he is owed the claimed salary/wages, it is hereby ruled that this portion of the Wage Claim is valid in the amount of \$3,332.00.

The employer is hereby ordered to send a check to this Department, payable to [REDACTED], in the total of \$9,896.89 (\$6,564.89 + \$3,332.00), less any applicable taxes, within 20 days of the date of this Order.

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Melissa J. Delorey  
Hearing Officer

Date of Decision: April 7, 2015

MJD/kdc